

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

WYNDHOLME VILLAGE, LLC, *et al.* *

Plaintiffs and Counterdefendants *

v. * **CIVIL ACTION NO. L01-3809**

NADIF OF WYNDHOLME, LLC, *et al.* *

Defendants and Counterplaintiffs *

* * * * *

MOTION TO DISMISS COMPLAINT

Defendant, Howard Zukerman, by his undersigned counsel, files this Motion to Dismiss Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and hereby seeks an order dismissing the complaint brought against him by the plaintiffs, James Lancelotta, Katherine Lancelotta, and Wyndholme Village, LLC, in the above case. The grounds for this motion are set forth in the attached support memorandum.

/s/

William C. Sammons, Bar No. 02366

Stephen M. Goldberg, Bar No. 01156

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Attorneys for Defendants and Counterplaintiffs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of May, 2003, a copy of the foregoing Motion to Dismiss, Memorandum in Support, and proposed Order was sent by first class mail, postage prepaid to:

Stuart C. "Neil" Fisher
173 Root Trail
Palm Beach, FL 33480
Defendant

/s/
William C. Sammons